

# Freedom of Expression and the Middle East

- Why do we value freedom of expression?
  - A fundamental value of democracy
  - Democracy involves “respect for the inherent dignity of the human person, commitment to social justice and equality, accommodation of a wide variety of beliefs, respect for cultural and group identity, and faith in social and political institutions which enhance the participation of individuals and groups in society.” (Dickson, SCC, *Oakes*, 1986)
  - J.S. Mill: a “livehler impression of truth [is] produced by its collision with error.” (*On Liberty*, 1869)
- Charter of Rights and Freedoms:
- **Fundamental Freedoms**
  - 2: Everyone has the following fundamental freedoms:
    - (a) freedom of conscience and religion;
    - (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
    - (c) freedom of peaceful assembly; and
    - (d) freedom of association.
  - Ethically, it is wrong to force people to believe certain things in a democracy. Historically, force usually does not work.

# York: Presidential Regulation 2

- Students may think, speak, write, create, study, learn, pursue social, cultural and other interests and associate together for all of these purposes, subject to the requirement that they respect the rights of members of the University and general communities to pursue these same freedoms and privileges. This general standard encompasses a number of more specific expectations which cannot be fully foreseen or exhaustively enumerated. By way of example, and without limiting the generality of the foregoing, students are expected:
  1. to abide by all federal, provincial and municipal laws, so far as these are relevant to student conduct;
  2. to refrain from conduct which harms or threatens harm to:
    - the proper functioning of University programmes or activities
    - the rights of members or guests of the University
    - the safety and well-being of members or guests of the University
    - the property of the University or of its members or guests;
      - more specifically, to refrain from:
        - assault or threat of assault
        - harassment or discrimination in contravention of the principles articulated in the Ontario Human Rights Code or the Canadian Charter of Rights and Freedoms
      - theft, defacement or destruction of property.

# Conclusion

- Freedom of expression is essential to a democratic society, and is especially important in a university
- There are reasonable limits to freedom of expression:
  - Illegal activities
  - Libel and slander
  - Violence
  - Extreme hate speech
  - Harassment
- Consider Presidential Regulation 2
- As members of the York community and a free and democratic society, we have an ethical duty to
  - promote free respectful expression
  - Advocate respectfully against abuses of freedom of expression, such as name-calling, bullying, & other forms of disrespectful behaviour, especially when these affect those we disagree with.
- Demonstrations: demonstrators have a right to make their point – to be seen and heard by those they wish to influence. They don't have a right to stop those they disagree with from expressing themselves, or to disrupt the freedoms of others.